DOCKET FILE COPY ORIGINAL

ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, DC 20554

In the Matter of	)	
	)	
Telephone Number Portability	)	CC Docket No. 95-116
	)	
North American Numbering Council Recommendation Concerning Local Number Portability Administration, Wireless and Wireline Integration	)	NSD File No. L -98-84

REPLY COMMENTS OF AIRTOUCH COMMUNICATIONS, INC.

AIRTOUCH COMMUNICATIONS, INC.

Pamela J. Riley
David A. Gross
1818 N Street, N.W., Suite 800
Washington, D.C. 20036
(202) 293-3800

August 31, 1998

Table of Contents

Summary

The NANC Report and subsequent industry comments make apparent that the integration of landline/CMRS number portability is a difficult, time-consuming, and controversial task. Rather than address the detailed issues raised by the NANC Report, AirTouch submits that the Commission should first address the threshold — and more fundamental — issue: whether, given recent market developments, implementation of wireless number portability makes sense at all, and whether this requirement may actually have the unintended effect of impeding the ability of CMRS providers to effectively compete.

At a minimum, the Commission should promptly grant an extension of the implementation deadline, currently set for June 30, 1999, only 10 months from now. The issues raised in the NANC Report must be resolved before CMRS providers can implement number portability (assuming the Commission maintains the requirement). More fundamentally, equipment vendors have recently advised the Commission that it will be late 2000 before they can make available to CMRS carriers necessary number portability modifications.

In the event that wireless number portability is maintained, AirTouch makes several comments regarding the NANC Report. If the Commission decides to maintain the wireless number portability requirements, it makes little sense to implement it "half way" — that is, use the capability only for CMRS-to-CMRS ports but not landline-to-CMRS ports. AirTouch submits that the significant costs of wireless number portability are clearly unwarranted if the purported benefits of increased wireless-wireline competition are not advanced.

In addition, the Commission should not reconsider its decision that existing nationwide roaming capabilities may not be impaired with the introduction of wireless number portability. Roaming arrangements have developed in many ways in response to market demands. Consistent with its past actions, the Commission should reject arguments that wireless number portability may be introduced in ways that impair or otherwise disrupt current flexible roaming capabilities, to the detriment of the consuming public.

Finally, the Commission should reject the Telecommunications Resellers Association's ("TRA") proposal to adopt at this late date a radically different method for maintaining roaming in a number portability environment. TRA's members have no experience designing, building, and operating CMRS networks, and it simply is not credible for TRA to contend that the CMRS industry (both facilities-based carriers and their vendors) erred in unanimously adopting the MIN separation approach it did. Besides, AirTouch cannot ascertain whether TRA's proposal is even technically feasible because it does not describe its proposal in any detail and because its summary description contains numerous misstatements of fact. One thing is clear: even if TRA's proposal were technically feasible, it would not, as TRA asserts, reduce the time for implementing wireless number portability.

BEFORE THE

Federal Communications Commission

WASHINGTON, DC 20554

In the Matter of	)	
	)	
Telephone Number Portability	)	CC Docket No. 95-116
	)	
North American Numbering Council Recommendation Concerning Local Number Portability Administration, Wireless and Wireline Integration	)	NSD File No. L -98-84

REPLY COMMENTS OF AIRTOUCH COMMUNICATIONS, INC.

AirTouch Communications, Inc. ("AirTouch") hereby submits this reply to the comments filed in response to the Report of the North American Numbering Council regarding Local Number Administration on Wireless Wireline Integration ("NANC Report").[1]

I. The Commission Should Suspend and Forbear From Further Implementation of Wireless Number Portability

The NANC Report and the subsequent industry comments confirm the fact that the integration of landline/CMRS number portability is a difficult, time-consuming, and controversial task. One approach would be for the Commission to address the specific issues raised by the NANC Report. However, AirTouch submits that it would be more appropriate and efficient for the Commission to first address the threshold — and more fundamental — issue: whether, given recent market developments, implementation of wireless number portability makes sense at all, and whether this requirement may actually have the unintended effect of

---

1 *See* North American Numbering Council, Local Number Portability Administration Working Group Report on Wireless Wireline Integration (May 8, 1998)("NANC Report"). *See also Public Notice,* "Common Carrier Bureau Seeks Comment on North American Numbering Council Recommendation Concerning Local Number Portability Administration, Wireline and Wireless Integration," DA 98-1290 (June 29, 1998).

impeding the ability of CMRS providers to compete for customers of landline and mobile services — thereby undermining one of the Commission's core goals for the CMRS industry. The record established in response to CTIA's forbearance petition establishes conclusively that the Commission should suspend (if not cancel) implementation of wireless number portability because, at least for the foreseeable future, the costs of implementation far exceed any anticipated benefits.[2]

In imposing a wireless number portability requirement two years ago,[3] the Commission did not undertake the "cost-benefit" analysis it has historically and appropriately performed before imposing new regulations on the competitive CMRS industry.[4] Specifically, while the Commission noted the benefits of number portability, it did *not* examine the costs the CMRS industry would incur in implementing the capability and, consequently, did *not* determine whether the benefits of portability exceed the costs. However, whatever the merits of that July 1996 decision, subsequent developments now make clear that the costs of wireless number

---

2 *See Public Notice,* "Wireless Telecommunications Bureau Seeks Comment on CTIA Petition Requesting Forbearance from CMRS Number Portability Requirements," 13 FCC Rcd 955 (Jan. 22, 1998).

3 *See First Number Portability Order,* 11 FCC Rcd 8352, 8451-41 ¶¶ 152-69 (1996). Perplexing was the decision to impose this requirement only six months after Congress determined that wireless portability is *not* essential to a competitive market and *not* statutorily required. *See* 47 U.S.C. § 251(b)(2)(requiring only landline LECs, and not CMRS providers, to implement number portability).

4 In other CMRS proceedings, the Commission has acknowledged that "all regulation necessarily implicates costs, including administrative costs, which should not be imposed unless clearly warranted." *First CMRS Interconnection/Resale Order,* 11 FCC Rcd 18458, 18463 ¶ 14 (1996). The Commission has therefore held that "[w]e seek to apply [new regulations] only to those [CMRS] services in which the benefits of a rule . . . exceed the costs." *Id.* at 18464 ¶ 15.

portability exceed the purported benefits and that the requirement should be deferred, if not canceled outright.

The Commission imposed a wireless number portability requirement to promote competition among broadband CMRS carriers and, in particular, to "facilitate the entry of new service providers, such as PCS and covered SMR providers."[5] Since that time, PCS systems have become operational, and enhanced SMR licensees have improved the quality of their services. In two short years, these new entrants "have achieved a significant presence in most major markets," with the result that "prices have been falling as competition has increased."[6] As the Commission further advised Congress only two months ago, "the mobile telephone market is well on its way to becoming dynamic and competitive."[7] Notably, this growing and intense competition has occurred *without* wireless number portability. Indeed, the high "churn rates" experienced by all CMRS providers documents that the absence of number portability does not prevent consumers from changing their serving CMRS provider, and that consumers readily switch carriers in response to competitive considerations.[8]

Significantly, the vast majority of new CMRS entrants now *oppose* number portability. As Sprint PCS has stated in this proceeding, "number portability is, at this juncture, technologically premature, and competitively and fiscally counterproductive;"

---

5 *First Local Number Portability Order,* 11 FCC Rcd at 8433 ¶ 155 and 8436 ¶ 159.

6 *Third Annual CMRS Competition Report,* FCC 98-91, at 3 (June 11, 1998).

7 *Id.* at 14.

8 *See, e.g., Connecticut Department Public Utility*, 10 FCC Rcd 7025, 7049 n.118 (1995) (cellular churn rate approximates 16% annually); *Second Annual CMRS Competition Report,* 12 FCC Rcd 11266, 11306 (1997)(enhanced SMR churn rate is 1.5% monthly).

> Simply put, new wireless providers (particularly PCS providers) have limited funds, and believe it in the greater interest of the public (and, frankly, in their own competitive interest) to devote those resources to network buildout, system expansion, and price competition.[9]

Moreover, as Bell Atlantic Mobile notes, the very parties the Commission relied upon in imposing wireless number portability now oppose its implementation because it diverts finite resources to network buildout.[10]

The Commission also imposed a wireless number portability requirement to promote competition between CMRS and landline carriers.[11] However, AirTouch and other CMRS providers do not need number portability to compete with landline services; in fact, number portability inhibits their ability to compete with landline services.[12] To be sure, a landline customer *may* be more willing to replace his or her landline connection for CMRS if number portability is available. However, *even with portability* a landline customer will *not* consider CMRS as a replacement solution *unless* CMRS prices are competitive and *unless*

---

9 Sprint PCS at 4.

10 *See* BAM at 11-12 and n.10. *See also* Rural Telecommunications Group Comments, CC Docket No. 95-116, at 3 (Feb. 23, 1998)(imposing requirement "would delay, and possibly halt, the progress these entities are making in the delivery of new services to rural areas.").

11 *See First Number Portability Order,* 11 FCC Rcd at 8436 ¶ 160.

12 A wireless number portability requirement assumes that consumers will *replace* their existing landline service with CMRS. However, based on its experience and market projections, AirTouch believes that consumers will increasingly use CMRS and that significant minutes of use will continue to migrate to wireless facilities — but without the termination of landline subscriptions. Thus, what is becoming increasing prevalent, especially given the recent CMRS price decreases, is that consumers are migrating minutes of use to CMRS and are also purchasing CMRS instead of installing a second (or third) landline connection. So long as landline service is maintained, wireless number portability would appear to have less relevance in this scenario.

CMRS is as reliable as landline service; moreover, and increasingly, minutes of use are migrating to CMRS while landline service is maintained. In any event, many consumers will not even consider CMRS as a complementary service unless CMRS prices continue to fall and service coverage/reliability continues to improve. Implementing number portability will increase AirTouch's cost of service, increase CMRS call setup times, and increase call unreliability, as well as posing significant technical service hurdles. It thus has the undesirable effect of making it more *difficult* for AirTouch to competitively position its services.[13] In the end, the Commission's wireless number portability policy is at odds with its long term strategy for the CMRS industry: landline service competition.[14]

One point is clear and uncontroverted: even if the Commission decides that regulatory intervention is appropriate for competitive markets, it is now beyond dispute that the current implementation date — June 30, 1999, only 10 months from now — is not realistic.[15]

---

[13] Number portability increases the complexity of CMRS call processing in an already complex CMRS network. Adding yet more network functions in each CMRS call attempt unnecessarily poses significant technical service issues, to the potential detriment of consumers at large.

[14] *See Third Annual CMRS Competition Report,* FCC 98-91, at 64 (June 11, 1998)("The Commission will continue to promote competition in its policy formulation for CMRS providers, in particular, by working to . . . position CMRS licensees to compete directly with wireline services thereby providing more options for consumers at a lower cost."). The CMRS industry is in agreement that wireless number portability undermines this objective because increasing the costs of providing CMRS is not conducive to land-line/CMRS competition.

[15] As other commenters note, the June 1999 implementation date was never realistic given that the Commission established this date without any record evidence. *See* BAM at 8. Completely baseless is MCI's unsupported assertion that "the wireless industry has made little or no progress towards the implementation of number portability." MCI at 5. *Compare* Letter from Michael Altschul, CTIA, to Steven Weingarten, Commercial Wireless Division, CC Docket No. 95-116 (Aug. 13, 1998). To the contrary, the industry has worked diligently on this issue.

The issues raised in the NANC Report obviously must be resolved before CMRS providers can implement number portability.[16]

More fundamentally, the record in this proceeding, including recent *ex partes* by CMRS equipment vendors, indicate that it will likely be late 2000 before vendors can make available necessary number portability modifications to their CMRS carrier customers.[17] As the Commission is aware, the industry has developed standards for implementing wireless number portability, and it is currently balloting these detailed standard proposals. It is anticipated that these standards will be finalized later this year (and published early next year). Given that equipment vendors generally require 18-to-24 months to develop modifications compliant with new industry standards, it is apparent that *no* CMRS carrier will be in a position to meet the current June 30, 1999 deadline. Thus, at minimum, the Commission should grant CTIA's petition to extend the number portability implementation date.[18] And, the Commission should

---

16 Indeed, even in the best of circumstances, these regulatory issues will not be finalized before May 1999, only one month before the current deadline. Moreover, this May 1999 date can be achieved only if NANC submits its final report as scheduled on December 31, 1998 *See Second Number Portability Order*, 12 FCC Rcd at 12352 ¶ 130 (Bureau will issue order regarding final NANC report "[w]ithin 90 days of the conclusion of the comment cycle."). However, it is highly unlikely that NANC will be capable of filing its final report by December 1998 because NANC cannot complete its report until the Commission resolves the issues raised in its interim report. Once the Commission resolves these interim report issues, NANC will thereafter require some time (*e.g.*, three to four months) to finalize its report. As discussed herein, there are also technical hurdles which cannot be overcome within the current implementation deadline.

17 *See, e.g.*, Letter from Barbara Baffer, Manager, Regulatory Affairs, Ericsson, to Magalie Salas, FCC Secretary, CC Docket No. 95-116 (Aug. 5, 1998); Letter from Mary Brooner, Assistant Director, Telecommunications Strategy and Regulation, Motorola, to Magalie Salas, FCC Secretary, CC Docket No. 95-116 (Aug. 7, 1998). *See also* Letter from Lolita Smith, CTIA, to Magalie Salas, CC Docket No. 95-116 (Aug. 13, 1998).

18 *See Public Notice*, "Wireless Telecommunications Bureau Seeks Comment on CTIA Petition for Waiver to Extend the Implementation Deadlines of Wireless Number

(continued...)

grant this petition promptly because if it does not, it will soon be flooded with dozens (if not hundreds) of extension petitions filed by individual CMRS carriers.

II. The Landline Carrier Position Regarding the NANC Open Issues Further Confirms That Wireless Number Portability Does Not Make Sense

As Congress determined in the Telecommunications Act of 1996 and as AirTouch demonstrates above, wireless number portability is not necessary to promote competition in the already competitive CMRS market — including CMRS competition with landline services; instead, the costs of mandatory number portability far exceed the benefits. Moreover, as discussed below, the position taken by landline carriers make wireless number portability even more untenable.

The CMRS industry has developed largely free of detailed government regulation. CMRS carriers therefore have had the flexibility to develop products and services designed to meet consumer needs. Among other things, in response to market demand, they have developed large calling areas, efficient provisioning systems, and a nationwide web of flexible roaming capabilities enabling consumers to originate and receive telecommunications while traveling — all without government intervention. The dramatic growth of the CMRS industry, including by new PCS entrants, confirms the success of the Commission's long-standing market reliance approach.

Wireless number portability, if it is to be implemented at all, requires the cooperation and agreement of both the CMRS and the landline industries. But as the NANC Report confirms, the two industries could not agree on many subjects. As discussed below,

---

[18] (...continued)
Portability," 12 FCC Rcd 20406 (Dec. 9, 1997). Moreover, no additional carrier-specific data should be needed to process the pending extension request.

landline carriers want the Commission to intervene to limit customer choice and to degrade (or eliminate altogether) current capabilities used by CMRS customers. This is unacceptable and, in AirTouch's judgment, further confirms that mandatory wireless number portability makes no sense.

A. The Rate Center Disparity Issue: The Commission Should Not Adopt Rules That Limit Customer Choice

Landline carriers want the Commission to preclude their customers from porting their numbers to CMRS providers.[19] They argue that a new regulatory prohibition is necessary because in some (but not all) circumstances, CMRS customers may be unable to port their numbers to landline carriers.[20] Specifically, because landline carriers generally use much smaller local calling areas (or "rate centers") compared to CMRS providers, a CMRS customer cannot port his or her mobile number unless the customer's physical location is within the landline local calling area associated with that mobile number.[21] Landline carriers contend that this uneven limitation on porting constitutes a "significant" and "unfair competitive disadvantage" for them,

---

19 *See* NANC Report, Wireline Position Paper at ¶ III.F, pp. 42-43.

20 Remarkably, landline carriers assert that this government intervention "would allow the natural course of competition in the market" to address consumer needs. Wireline Position Paper at ¶ III.F p.43.

21 Unlike CMRS carriers which have established large local calling areas (*e.g.*, state, multi-state region), landline carriers have historically established small local calling areas (*e.g.*, a metropolitan area or a portion of such an area). Because landline local calls are generally flat-rated (or non-usage-sensitive), landline carriers found it advantageous to limit the size of their local "rate centers" to thereby increase the amount of their usage-based (and lucrative) toll traffic. Only in recent years have landline carriers begun to consolidate their rate centers.

justifying the Commission precluding *all* porting between landline and mobile carriers — *both* land-to-mobile *and* mobile-to-land.[22]

AirTouch submits that this fact further confirms that a government-imposed wireless number portability requirement is misguided. If, however, the Commission intends to maintain the requirement, it makes even less sense to implement "half way" — as the landline industry contends. A primary benefit touted to support mandatory number portability is the importance of number portability to wireline-wireless competition. To impose all the costs of mandatory number portability on the CMRS industry without including the purported benefits is to achieve the least rational "end game" possible.

Finally, AirTouch submits that under no circumstances should the Commission adopt other alternatives the industry considered for solving the "rate disparity issue."[23] Especially perverse is the approach whereby CMRS providers would be required to make the

---

22 *See* NANC Report, Rate Center Issue Appendix, Wireline Position Paper at § 1.3 p. 39 and ¶ II.B.4 p.41.

23 *See* NANC Report, Appendix A, Potential Alternative Methods to Achieve Parity Considered, at 38.

same inefficient use of numbers as landline carriers.[24] The entire industry — landline and CMRS — uniformly rejected these alternatives, and the Commission should reject them as well.

B. Porting Intervals and Procedures: The Commission Should Not Adopt Rules That Preclude Carriers From Providing Improved Service

A dispute between the landline and CMRS industries has also arisen over provisioning intervals and procedures. The CMRS industry wants to automate and simplify the porting process and to use a 2.5 hour porting interval.[25] Some landline carriers were reluctant to take these steps immediately; as a compromise, the two industries agreed to conduct feasibility studies with a view of completing these studies by the end of the year.[26] However, some landline carriers even oppose conducting such studies and apparently want the Commission to prohibit

---

[24] *See id.* at ¶ I, p. 38. MCI oddly raises the issue of number pooling — *even though pooling is mechanism to alleviate the inefficient use of numbers by landline carriers. See* MCI at 2, 3, and 11. CMRS providers make a very efficient use of telephone numbers. For example, a new CMRS carrier can provide service throughout a state with only a few NXX codes (with 10,000 numbers each); it will not require the assignment of additional codes until it achieves the industry-specified fill rate on the initial assignments (*e.g.*, 90%). In stark contrast, a CLEC entering a metropolitan area with eight rate centers will require the immediate assignment of eight NXX codes (with 80,000 numbers). *See* NANC Report, Appendix D, § 1.2, ¶ 1.3. With number pooling in this example, the CLEC would be assigned only 8,000 numbers rather than eight codes with 80,000 numbers. Thus, mandatory wireless number portability cannot be justified on the ground that the CMRS industry needs to participate in number pooling. Indeed, even MCI acknowledges that, because of their efficient use of numbers, CMRS providers need not participate in number pooling. *See* MCI at 13.

[25] *See, e.g.*, NANC Report at § 3.3.2.2; AT&T Wireless at 5-7; RTG at 6; Sprint PCS at 9; USCC at 4. The CMRS industry was also willing to use a 2.5 hour interval for mobile-to-land ports, but landline carriers stated that they were unable to handle ports to them so quickly. MCI therefore misstates the record in asserting that the CMRS industry "wanted" a four-day interval for mobile-to-land ports so they could "gain an advantage over wireline carriers by being able to move a wireline customers to wireless service provider faster than a wireline carrier could move a wireless customer to its service." MCI at 9.

[26] *See* NANC Report at § § 3.3.2.2 and 3.3.3.

such studies.[27] In this respect, AirTouch supports the position taken by Pennsylvania Commission:

> The PaPUC supports any industry initiative which will decrease the porting interval, because any such decrease will increase the benefits of telephone competition to the public.[28]

Besides, AirTouch submits that competitive pressure will be more effective in improving landline porting intervals than new government regulations.

C. The Commission Should Not Reconsider Its Decision That Existing Nationwide Roaming Capabilities Cannot Be Impaired With the Introduction of Wireless Number Portability

In response to market demand (and without any government intervention), the CMRS industry has developed a flexible nationwide system of roaming so consumers can send and receive telecommunications while traveling. Wireless number portability would disable these roaming capabilities, so the industry has agreed on a method to maintain current roaming capabilities in a number portability environment.[29] Some commenters appear to contend that carriers can use the introduction of number portability as an excuse not to up upgrade their

---

27 *See* BellSouth at 9-10; GTE at 2-3; SBC at 6-7. While MCI says it "supports" further study, it "cautions" that any interval not uniformly used by all carriers would "not [be] competitively neutral." MCI at 10.

28 PaPUC at 3 ¶ 4.

29 AirTouch notes that, as a practical matter, this roaming issue affects only MIN-based carriers because GSM carriers already use separate identifiers for directory numbers and routing numbers. *See* NANC Report at § 4.2.

roaming systems.[30] Under this approach, consumers accustomed to the benefits of roaming would lose this capability in certain areas.[31]

The Commission has already considered — and rejected — this very argument. The first "minimum" performance criterion it imposed in this proceeding is that any number portability method adopted must "support existing network services, features, or capabilities."[32] Nationwide roaming is an existing service offered by most CMRS providers. Roaming is a capability that consumers can acquire only with CMRS, and it is imperative that implementation of wireless number portability not impact negatively the ability of CMRS customers to continue to roam.[33]

Indeed, the Commission has specifically acknowledged the importance of maintaining existing nationwide roaming capabilities, holding that implementation of wireless number portability requirements may not negatively impact current roaming capabilities. For example, although it ultimately determined that only those CMRS providers serving the 100 most populous MSAs are required to implement wireless number portability initially (subject to

---

30 *See, e.g.,* SBC at 9-10. AirTouch agrees with SBC that the competitive CMRS market should ordinarily operate "without regulatory mandates." *See* SBC at 9. However, given the Commission's decision to impose a wireless number portability requirement, it becomes imperative that the Commission also ensure that current roaming capabilities are not negatively impacted by the implementation of this regulatory directive.

31 Under the proposed approach, ported CMRS customers will be unable to continue to receive calls while roaming if the visited system does not upgrade its system to separate the MDN from the MIN. In addition, if certain carriers do not upgrade their systems to accommodate the MIN/MDN separation, customers will be required to enter a credit card number with each outgoing call they make while roaming.

32 *First Number Portability Order,* 11 FCC Rcd at 8378 ¶¶ 48-49.

33 The entire industry (including landline carriers) recognizes the importance of roaming. *See* NANC Report at § 4.1.3 ("Roaming is an integral part of wireless service."). *See also* AT&T Wireless at 9.

a *bona fide* request), the Commission has required *all* broadband CMRS providers to continue to support roaming so existing roaming capabilities would not be lost. In this regard, 47 C.F.R. § 52.31(a)(2) provides unequivocally:

> By June 30, 1999, *all* cellular, broadband PCS, and covered SMR providers must be able to support roaming nationwide.[34]

To further ensure that CMRS customers would not lose the ability to roam even for a temporary period of time, the Commission also ordered that wireless number portability and roaming upgrades be implemented on one date rather than deployed over a period of time as was done with the landline industry.[35] Given the importance consumers have attached to existing roaming capabilities, the Commission should not now reconsider its decisions.

Smaller CMRS providers note that maintaining automatic roaming in a number portability environment raises technical challenges for them, challenges that cannot be met by the current June 30, 1999 implementation deadline.[36] The solution, therefore, is to extend the implementation date (or cancel the requirement) — not impair or remove current roaming capabilities.[37]

---

34 47 C.F.R. § 52.31(a)(2)(emphasis added). *See also First Number Portability Reconsideration Order,* 12 FCC Rcd at 7313 ¶ 136 ("We clarify that, by June 30, 1999, CMRS providers *must* (1) offer service provider portability in the 100 largest MSAs, and (2) be able to support nationwide roaming.")(emphasis added).

35 *See First Number Portability Order,* 11 FCC Rcd at 8440 ¶ 166 ("We believe a nationwide implementation date for number portability for cellular, broadband PCS, and covered SMR providers is necessary to ensure that validation necessary for roaming can be maintained.").

36 *See* Rural Telecommunications Group; United States Cellular Corporation.

37 *See* AT&T Wireless at 9.

III. TRA's New Roaming Proposal, Even If Workable, Would Delay Implementation of Wireless Number Portability

For the past two years the CMRS industry has have been working to implement the Commission's directive requiring all broadband CMRS providers to continue to support roaming once wireless number portability is introduced. The industry, after considering several alternatives, unanimously determined that the most efficient and cost-effective solution was to separate the single Mobile Identification Number ("MIN") into two separate identifiers:[38]

- A Mobile Directory Number ("MDN") that will serve as the telephone number; and
- A Mobile Station Identifier ("MSID") that will identify the handset and the serving carrier.[39]

As discussed above, the industry is currently balloting standards implementing this MIN separation. Once final standards are approved, vendors can modify their systems to accommodate this MIN separation, thereby enabling carriers to implement these modifications so CMRS customers can continue to roam once number portability is introduced.

The Telecommunications Resellers Association ("TRA") acknowledges the importance of maintaining nationwide roaming in a number portability environment.[40]

---

38 *See* NANC Report at § 4.1.2 ("With the advent of number portability, the industry consensus was to separate these [MIN and MDN] values."); Rural Telecommunications Group at 6 ("[T]he consensus among the wireless industry is that the mobile identification number (MIN) must be split into two, discrete segments in order for wireless carriers to support roaming, E911, and other essential services in a LNP environment.").

39 *See* NANC Report, Support of Nationwide Roaming Attachment. As noted, GSM-based carriers already use separate identifiers for these two functions. *See* NANC Report at § 4.2.

40 TRA at 7 ("Number portability for CMRS must accommodate the fact that a wireless subscriber may be 'roaming' outside of the geographic rate center area to which the ported number is assigned.").

Nevertheless, and although its members both *chose not to attend* industry implementation meetings and have *no experience* in designing, building, or operating networks, TRA now contends that CMRS carriers and vendors got it wrong and adopted the wrong approach for maintaining roaming in a number portability environment. According to the TRA, the Commission should direct the CMRS industry to abandon its work over the past two years and adopt a "different" roaming solution, one "similar to that used for wireline number portability — a 'location routing number' (LRN) approach."[41] Thus, TRA asserts, without presenting any supporting facts, that its proposed "LRN-like" approach "*appears* to be technically feasible" and "*should* [both] reduce the cost and greatly reduce the time, required for implementation of number portability for CMRS."[42]

AirTouch cannot ascertain whether TRA's LRN-like proposal is technically feasible because TRA's 14-page comments do not describe its proposal in any detail. Similarly, TRA presents *no* facts in support of its assertion that its proposal "would have cost advantages over the NANC approach."[43]

AirTouch's ability to understand this proposal is further hampered by the fact that TRA's summary description contains statements that are both confusing and erroneous. For example, TRA makes repeated reference to the Line Information Data Base ("LIDB") used by landline carriers for their calling card services.[44] The relevance of this LIDB calling card system

---

41 *Id.* at 10.

42 *Id.* at 12 and 13 (emphasis added).

43 TRA Summary.

44 *See, e.g.,* TRA at 11. "LIDB is an interconnected series of databases, maintained by individual BOCs, each of which contains the credit card numbers and PINs for calling

(continued...)

to number portability is not clear; even less clear is the relevance of this landline system to CMRS roaming and registration.[45] In addition, TRA is simply wrong in its analysis of the impact of the industry MIN separation approach on cell site configurations.[46]

Moreover, TRA is also mistaken in suggesting that the CMRS industry will not be implementing the LRN approach.[47] In terminating calls in a number portability environment, CMRS carriers *will* use the *same* N-1 LRN approach utilized by landline carriers. However, this LRN methodology — designed to route calls to ported numbers and performed at the terminating end of a call (by the N-1 carrier) — has little usefulness in addressing an entirely different function unique to the CMRS industry: customer registration so nationwide automatic roaming

---

44 (...continued)
cards issued by the BOCs to their subscribers." *Local Exchange Carrier Validation and Billing Information for Joint Use Calling Cards*, 6 FCC Rcd 3506, 3508 (1991).

45 Indeed, there is evidence that TRA does not fully understand how number portability will be implemented. For example, TRA is mistaken in asserting that the "LIDB is used to store routing information for end users who have ported their telephone numbers to other local carriers" (TRA at 11) because carriers are not using LIDBs and instead are deploying new, separate databases to support number portability. If, however, TRA is suggesting that the competitive CMRS industry should be required to use for their number portability the LIDB system designed by monopoly landline carriers, the Commission should summarily reject the TRA proposal. One industry (CMRS) should not be required to use a system developed by another industry (landline) — especially when the landline technology is over a decade old.

46 TRA at 8.

47 TRA is also wrong in stating that the industry's MIN separation solution has "a major infirmity" concerning E911 service. TRA at 9-10. In fact, the industry's MIN separation approach is fully compatible with E911 service, and a major reason the industry adopted this solution was to ensure compatibility with all Commission E911 requirements (*e.g.*, call-back). Moreover, it is unclear whether TRA's proposal could meet these E911 requirements if the visited (or roaming) system is unable to determine whether the 10-digit number of the roaming customer is his telephone number or the identity of his handset. *See* NANC Report at § 4.3.

can be maintained.[48] The CMRS industry has developed its own protocols and procedures to perform registration and roaming (IS-41) — protocols not utilized by the landline industry because they have no need to perform these functions. Consequently, contrary to TRA's assertion, there is no number portability-compatible registration/roaming procedure that CMRS carriers could adopt that would be "similar to" that employed by landline carriers.[49]

One thing is clear: even if TRA's proposal were technically feasible, it would not as TRA asserts "greatly reduce" the time required for implementing wireless number portability."[50] The Commission should not entertain the TRA's belated proposal. If TRA truly believes its proposal has merit, it should have submitted it years ago when the industry was considering solutions for roaming in a number portability environment — *not after* the industry

---

48 Terminating landline and CMRS carriers (generally the N-1 carrier) use the LRN method to identify the person being called. In contrast, with roaming, the visited system needs to determine the identity of the caller before a call is even made.

49 *See, e.g.,* TRA at 4, 10, and 14. TRA's proposal also apparently includes some type of 10-digit Global Title Translation ("GTT"). *See id.* at 10-11. The industry did examine 10-digit GTT as a possible way to address the registration/roaming challenge but after examining other alternatives, unanimously rejected GTT as a cost-effective solution (in part because it would fundamentally change the proven IS-41 registration procedure and because it would add network inefficiencies in call processing).

50 TRA at 12. Moreover, and at minimum, TRA's proposal would require the development of industry standards, because nationwide roaming requires all CMRS carriers to use the same roaming methodologies and procedures. The development of standards would likely take a year given that TRA's proposal is so poorly defined and given that TRA appears to propose that the CMRS industry change its current roaming registration procedures. However, this standard work would not begin until the Commission enters its order in this proceeding. Thus, if the Commission were to enter an order by the end of the year, it could be late 1998 to early 1999 before standards would be available. If software modifications are necessary to implement the TRA approach (as will almost certainly be the case), vendors will then require another 18-24 months to make these modifications.

unanimously adopted a solution and *after* it has begun implementing that solution.[51] Again, the TRA proposal will not save time and instead poses significant burdens.

If, however, the Commission believes that the TRA proposal may have merit, it should direct TRA to submit its proposal to the industry for its consideration and to submit the proposal with sufficient detail that the industry can at least understand it. The Commission should not adopt a radically new technical proposal that others cannot understand. Rather carriers which may be asked (or ordered) to implement a particular proposal should have the opportunity to scrutinize it in the give-and-take procedure available with the industry standards process.

Conclusion

The disputes between the CMRS and landline industries are real. But these disputes are less important than the threshold issue before the Commission: whether, given recent market developments, it still makes sense to impose a number portability requirement on the CMRS industry. AirTouch urges the Commission to address the threshold question because this determination could obviate the need for the Commission to resolve the more detailed NANC Report issues. A regulatory mandate that increases AirTouch's cost of service and that may degrade the reliability of its network is not the way to achieve open and unfettered

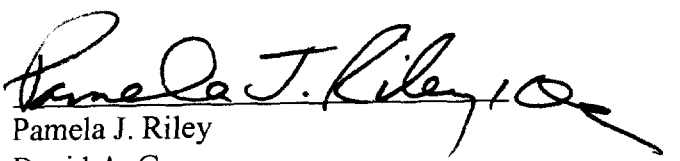
---

[51] The industry *unanimously* determined in October 1996 that the MIN separation approach was the most cost effective way to maintain roaming in a number portability environment. TRA never explains why it waited so long in proposing its very different approach.

competition, and is clearly contrary to the public interest. Accordingly, AirTouch renews its request for deferral and forbearance of the wireless number portability requirement.

Respectfully submitted,

AIRTOUCH COMMUNICATIONS, INC.

By: 

Pamela J. Riley
David A. Gross

AirTouch Communications, Inc.
1818 N Street, N.W., Suite 800
Washington, D.C. 20036
(202) 293-3800

August 31, 1998

CERTIFICATE OF SERVICE

I, Jo-Ann G. Monroe, hereby certify that on this 31st day of August, 1998, I caused copies of the foregoing Reply Comments of AirTouch Communications, Inc. to be served by hand to the following:

Jeannie Grimes
Common Carrier Bureau
Federal Communications Commission
2000 M Street, N.W., Room 235
Washington, D.C. 20554

Michael Rosenthal
Wireless Telecommunications Bureau
Federal Communications Commission
2100 M Street, N.W., Room 700
Washington, D.C. 20554

International Transcription Service
1231 - 20th Street, N.W.
Washington, D.C. 20036

Gayle Radley Teicher
Network Services Division
Common Carrier Bureau
Federal Communications Commission
2000 M Street, N.W., Room 235
Washington, D.C. 20554

Kathryn C. Brown, Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 500
Washington, D.C. 20554

Doug Sicker
Network Services Division
Common Carrier Bureau
Federal Communications Commission
2000 M Street, N.W., Room 235
Washington, D.C. 20554

Lawrence E. Strickling, Deputy Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 500
Washington, D.C. 20554

Thomas C. Power, Legal Advisor
Office of Chairman Kennard
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

James Casserly, Senior Legal Advisor
Office of Commissioner Ness
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, D.C. 20554

Kyle D. Dixon, Legal Advisor
Office of Commissioner Powell
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, D.C. 20554

Paul Gallant, Legal Advisor
Office of Commissioner Gloria Tristani
Federal Communications Commission
1919 M Street, N.W., Room 826
Washington, D.C. 20554

Kevin Martin. Legal Advisor
Office of Commissioner Furchtgott-Roth
Federal Communications Commission
1919 M Street, N.W., Room 802
Washington, D.C. 20554

Ari Fitzgerald, Attorney Advisor
Office of Chairman William Kennard
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

Peter Tenhula, Attorney Advisor
Office of Commissioner Michael Powell
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, D.C. 20554

Karen Gulick, Attorney Advisor
Office of Commissioner Gloria Tristani
Federal Communications Commission
1919 M Street, N.W., Room 826
Washington, D.C. 20554

Paul Misener, Senior Legal Advisor
Office of Commissioner Furchtgott-Roth
Federal Communications Commission
1919 M street, N.W., Room 802
Washington, D.C. 20554

Jo-Ann G. Monroe